

## REMARKS

In response to the Office Action mailed March 5, 2004, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 3, 10-15, 18-40, 42, 44-47, and 51-66 were pending. Applicant has amended claims 15, 26, 40, 42, 44, 51, 62, and 63. All the amendments have support at, for example, paragraphs [0043] and [0044]. No claims have been canceled or added. After these amendments, claims 3, 10-15, 18-40, 42, 44-47, and 51-66 remain pending, of which claims 15, 26, 40, 42, 44, 51, and 62 are independent claims.

In the Office Action, the pending claims were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. US 2002/0002552 A1 to Schultz et al. (“Schultz”) in view of CellPoint (“CellPoint and Nebraska Join Forces for New, Live Navigation Services Based on GSM Positioning of Cellular Phones,” Business Wire, June 29, 2000) (“CellPoint”). To the extent any of these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

Amended claim 15 recites a system for providing location-based yellow pages information, wherein the process is configured to, among other things, receive a request for yellow page information from the user, the request including user measured location information and a user selected advertiser category identifier, wherein the user location information is determined using one of information obtained from a telecommunications system and information pre-stored in the memory; and responding to the request, returning a confirmation query to the user, wherein the returned confirmation query confirms the user selected advertiser

category and allows the user to refine the selection of the advertiser category identifier and a user advertiser subcategory identifier, and wherein the confirmation message further allows the user to determine whether to retrieve advertiser entries from the second subset of the plurality of the advertiser entries. Similar amendments have made to independent claims 26, 40, 42, 44, 51, and 62.

**Rejection under 35 U.S.C. 103(a)**

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P §2143. Without conceding the first and second criteria, Applicant asserts that cited combination does not teach or suggest each and every elements of the claims.

Schultz fails to teach or suggest the features of the amended claims as described above. More particularly, Schultz fails to teach or suggest that the user determines whether to retrieve advertiser entries of a second subset of a plurality of the advertiser entries, as recited in amended claim 15 and similarly in other amended independent claims. Indeed, Schultz provides a global computer network geographic information system, or GIS, based search engine. In use, a user sends a search request via a computer network to the search engine. The search request includes location data, an information query, and geographic criteria. According to Schultz, the information query is an entity criterion, such as a business name, a specific GIS location, a product name, a brand name, a service name, a price criterion, a time criterion, event criterion, a

service category, or combinations thereof, and the geographic criteria define the involvement of the GIS database in filtering the search result for the information query. After receiving the search request from the user, the search engine searches an information database for information results which correspond to the information query of the search request. As the information query sent by the user consists of entity criteria, the information database includes a business index comprised of fields that correlate to the criteria of the search query, as shown in Fig. 2. The search engine then correlates the business index with the user's search request and refines itself the search result according the correlation result. The search engine does not allow the user to refine his selection of the advertiser category and advertiser subcategory and to determine whether to retrieve advertiser entries that have no advertiser measured location information.

In view of the above, there is no teaching in Schultz that the advertiser entries include a first subset of advertiser entries with advertiser measured location information and a second subset (or a third subset) of advertiser entries without advertiser measured location information. There are also no teachings in Schultz that the search engine returns a confirmation query that confirms the user selected advertiser category, allows the user to refine the selection of the advertiser category identifier and a user advertiser subcategory identifier, and further allows the user to determine whether to retrieve advertiser entries from the second subset of the plurality of the advertiser entries, as recited in all of the amended independent claims.

Furthermore, CellPoint fails to teach or suggest the limitations of the amended independent claims as described above as Cellpoint is merely an article relating an announcement of a new product.

Accordingly, neither Shultz nor Cellpoint, when taken singly or in any combination thereof, teaches or suggests the processor that responding to the request, returns a confirmation query to the user, wherein the returned confirmation query confirms the user selected advertiser category and allows the user to refine the selection of the advertiser category identifier and a user advertiser subcategory identifier, and wherein the confirmation message further allows the user to determine whether to retrieve advertiser entries from the second subset of the plurality of the advertiser entries, as recited in amended independent claim 15 and similarly in claims 26, 40, 42, 44, 51, and 62.

Therefore, it would not have been obvious for one skilled in the art to combine Schultz and CellPoint to achieve the systems and methods of claims 15, 26, 40, 42, 51, and 62 because neither Schultz nor CellPoint teach or suggest all the claim limitations and no motivation and suggestion can be derived from the combination of these two references.

Accordingly, the rejection of all of the pending claims under 35 U.S.C. 103(a) as being unpatentable by either Schultz singly or by Schultz in view of CellPoint should be withdrawn.

In view of the foregoing, all of the claims in the present application are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicant's undersigned representative at the number listed below.

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Respectfully submitted,

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